

**MARKED UP VERSION OF AMENDED CLAIMS**

Claim 12 should read as follows:

12.(currently amended) A compound as claimed in claim 11, wherein, in the formula (II),

M is zirconium,

R<sup>4</sup>, R<sup>6</sup> are identical or different and are each a hydrogen atom, a C<sub>1</sub>-C<sub>18</sub>-alkyl,

C<sub>2</sub>-C<sub>10</sub>-alkenyl, C<sub>3</sub>-C<sub>15</sub>-alkylalkenyl, C<sub>6</sub>-C<sub>18</sub>-aryl, C<sub>5</sub>-C<sub>18</sub>-heteroaryl, C<sub>7</sub>-C<sub>20</sub>-

arylalkyl, C<sub>7</sub>-C<sub>20</sub>-alkylaryl, fluorinated C<sub>1</sub>-C<sub>12</sub>-alkyl, fluorinated C<sub>6</sub>-C<sub>18</sub>-aryl,

fluorinated C<sub>7</sub>-C<sub>20</sub>-arylalkyl or fluorinated C<sub>7</sub>-C<sub>20</sub>-alkylaryl,

R<sup>8</sup>, R<sup>9</sup> are identical or different and are each a hydrogen atom, a halogen atom a

linear or branched C<sub>1</sub>-C<sub>18</sub>-alkyl group, C<sub>2</sub>-C<sub>25</sub>-alkenyl, C<sub>2</sub>-C<sub>10</sub>-alkenyl

C<sub>3</sub>-C<sub>15</sub>-alkylalkenyl, a C<sub>6</sub>-C<sub>18</sub>-aryl group which may be substituted,

C<sub>5</sub>-C<sub>18</sub>-heteroaryl, C<sub>7</sub>-C<sub>20</sub>-arylalkyl, C<sub>7</sub>-C<sub>20</sub>-alkylaryl, fluorinated C<sub>1</sub>-C<sub>12</sub>-alkyl,

fluorinated C<sub>6</sub>-C<sub>18</sub>-aryl, fluorinated C<sub>7</sub>-C<sub>20</sub>-arylalkyl or fluorinated

C<sub>7</sub>-C<sub>20</sub>-alkylaryl, and two radicals R<sup>8</sup> or R<sup>9</sup> may form a monocyclic or

polycyclic ring system which in turn may be substituted,

X is chlorine,

Y is oxygen[,] or sulfur or NR<sup>3</sup>,

I, I' are identical or different and are each 1 or 2[.]

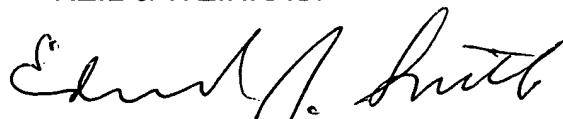
Remarks

This amendment corrects two inadvertent errors in claim 12 and, thus, reduces potential issues in the case. The "NR<sup>3</sup>" in claim 12 was inadvertently retained when the parent claim 11 was restricted to "oxygen or sulfur" as Y members. (Amendment of June 5, 2002). Support for the other amendment to claim 12 is found on page 5, line 17. The copies of the claims accompanying the brief assume that this amendment has been entered.

To the extent necessary, applicant(s) petition for an Extension of Time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF

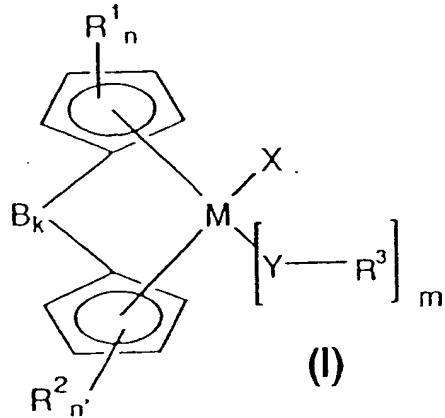


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**COMPLETE LISTING OF ALL CLAIMS**

9.(previously amended) A compound of the formula (I),



where

M is a metal of transition group III, IV, V or VI of the Periodic Table of the Elements,

$R^1$  are identical or different and are each a radical  $Si(R^{12})_3$ , where  $R^{12}$  are identical or different and are each a hydrogen atom or a  $C_1$ - $C_{40}$ -group or  $R^1$  is a  $C_1$ - $C_{30}$ -group, or two or more radicals  $R^1$  may be connected to one another in such a way that the radicals  $R^1$  and the atoms of the cyclopentadienyl ring which connect them form a  $C_4$ - $C_{24}$ -ring system which may in turn be substituted,

$R^2$  are identical or different and are each a radical  $Si(R^{12})_3$ , where  $R^{12}$  are identical or different and are each a hydrogen atom or a  $C_1$ - $C_{40}$ -group, or  $R^2$  is a  $C_1$ - $C_{30}$ -group, or two or more radicals  $R^2$  may be connected to one another in such a way that the radicals  $R^2$  and the atoms of the cyclopentadienyl ring which connect them form a  $C_4$ - $C_{24}$ -ring system which may in turn be substituted,

$R^3$  are identical or different and are each a  $C_2$ - $C_{25}$ -alkenyl,  $C_3$ - $C_{15}$ -alkylalkenyl,  $C_5$ - $C_{24}$ -heteroaryl,  $C_7$ - $C_{30}$ -arylalkyl,  $C_7$ - $C_{30}$ -alkylaryl, fluorinated  $C_1$ - $C_{25}$ -alkyl, fluorinated  $C_6$ - $C_{24}$ -aryl, fluorinated  $C_7$ - $C_{30}$ -arylalkyl or fluorinated  $C_7$ - $C_{30}$ -alkylaryl,

$X$  is a halogen atom,

$Y$  is oxygen or sulfur,

$n$  is from 0 to 4,

$n'$  is from 0 to 4,

$m$  is from 1 to 3,

$k$  is 1,

$B$  is a bridging structural element between the two cyclopentadienyl rings and one or both cyclopentadienyl rings are substituted in such a way that they form an indenyl ring.

10.(previously amended) A compound as claimed in claim 9, wherein

$M$  is Ti, Zr or Hf,

$R^1$  are identical or different and are each a radical  $Si(R^{12})_3$ , where  $R^{12}$  are identical or different and are each a hydrogen atom a  $C_1$ - $C_{20}$ -alkyl,  $C_1$ - $C_{10}$ -fluoroalkyl,  $C_1$ - $C_{10}$ -alkoxy,  $C_6$ - $C_{10}$ -aryl,  $C_6$ - $C_{10}$ -fluoroaryl,  $C_6$ - $C_{10}$ -aryloxy,  $C_2$ - $C_{10}$ -alkenyl, or  $R^1$  is  $C_1$ - $C_{25}$ -alkyl,  $C_2$ - $C_{25}$ -alkenyl,  $C_3$ - $C_{15}$ -alkylalkenyl,  $C_6$ - $C_{24}$ -aryl,  $C_5$ - $C_{24}$ -heteroaryl,  $C_7$ - $C_{30}$ -arylalkyl,  $C_7$ - $C_{30}$ -alkylaryl, fluorinated  $C_1$ - $C_{25}$ -alkyl,

fluorinated  $C_6$ - $C_{24}$ -aryl, fluorinated  $C_7$ - $C_{30}$ -arylalkyl, fluorinated  $C_7$ - $C_{30}$ -alkylaryl, or  $C_1$ - $C_{12}$ -alkoxy, or two or more radicals  $R^1$  may be connected to one another in such a way that the radicals  $R^1$  and the atoms of the cyclopentadienyl ring which connect them form a  $C_4$ - $C_{24}$ -ring system which may in turn be substituted,

$R^2$  are identical or different and are each a radical  $Si(R^{12})_3$ , where  $R^{12}$  are identical or different and are each a hydrogen atom a  $C_1$ - $C_{20}$ -alkyl,  $C_1$ - $C_{10}$ -fluoroalkyl,  $C_1$ - $C_{10}$ -alkoxy,  $C_6$ - $C_{10}$ -aryl,  $C_6$ - $C_{10}$ -fluoroaryl,  $C_6$ - $C_{10}$ -aryoxy,  $C_2$ - $C_{10}$ -alkenyl, or  $R^2$  is  $C_1$ - $C_{25}$ -alkyl,  $C_2$ - $C_{25}$ -alkenyl,  $C_3$ - $C_{15}$ -alkylalkenyl,  $C_6$ - $C_{24}$ -aryl,  $C_5$ - $C_{24}$ -heteroaryl,  $C_7$ - $C_{30}$ -arylalkyl,  $C_7$ - $C_{30}$ -alkylaryl, fluorinated  $C_1$ - $C_{25}$ -alkyl, fluorinated  $C_6$ - $C_{24}$ -aryl, fluorinated  $C_7$ - $C_{30}$ -arylalkyl, fluorinated  $C_7$ - $C_{30}$ -alkylaryl, or  $C_1$ - $C_{12}$ -alkoxy, or two or more radicals  $R^2$  may be connected to one another in such a way that the radicals  $R^2$  and the atoms of the cyclopentadienyl ring which connect them form a  $C_4$ - $C_{24}$ -ring system which may in turn be substituted,

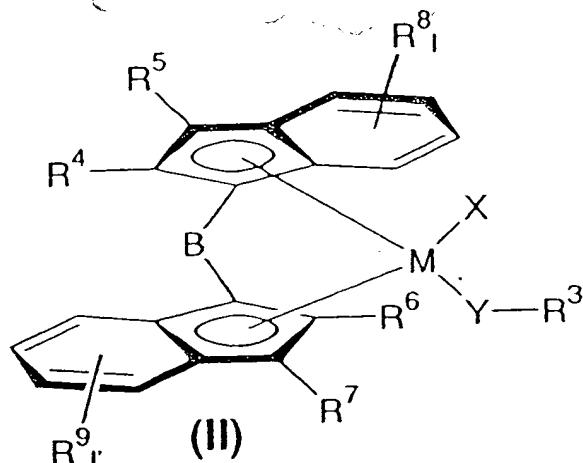
$X$  is chlorine

$Y$  is oxygen or sulfur,

$m$  is 1 and

one or both cyclopentadienyl rings are substituted in such a way that they form an indenyl ring which is substituted.

11.(previously amended) A compound of the formula (II)



where

M is Ti, Zr or Hf,

$R^3$  is isopropyl, tert-butyl, cyclohexyl or octyl, a  $C_5$ - $C_{24}$ -heteroaryl,  $C_7$ - $C_{30}$ -arylalkyl,  $C_7$ - $C_{30}$ -alkylaryl, fluorinated  $C_6$ - $C_{24}$ -aryl, fluorinated  $C_7$ - $C_{30}$ -arylalkyl, or fluorinated  $C_7$ - $C_{30}$ -alkylaryl

$R^4$ ,  $R^6$  are identical or different and are each a hydrogen atom or a  $C_1$ - $C_{20}$ -group,

$R^5$ ,  $R^7$  are identical or different and are each a hydrogen atom or a  $C_1$ - $C_{20}$ -group,

$R^8$ ,  $R^9$  are identical or different and are each a hydrogen atom, a halogen atom

or a  $C_1$ - $C_{20}$ -group, and two radicals  $R^8$  or  $R^9$  may form a monocyclic or

polycyclic ring system which may in turn be substituted,

X is a halogen atom,

Y oxygen or sulfur,

I, I' are identical or different and are each an integer from zero to 4,

B is a bridging structural element between the two indenyl radicals.

12.(currently amended) A compound as claimed in claim 11, wherein, in the formula (II),

M is zirconium,

$R^4$ ,  $R^6$  are identical or different and are each a hydrogen atom, a  $C_1$ - $C_{18}$ -alkyl,  $C_2$ - $C_{10}$ -alkenyl,  $C_3$ - $C_{15}$ -alkylalkenyl,  $C_6$ - $C_{18}$ -aryl,  $C_5$ - $C_{18}$ -heteroaryl,  $C_7$ - $C_{20}$ -arylalkyl,  $C_7$ - $C_{20}$ -alkylaryl, fluorinated  $C_1$ - $C_{12}$ -alkyl, fluorinated  $C_6$ - $C_{18}$ -aryl, fluorinated  $C_7$ - $C_{20}$ -arylalkyl or fluorinated  $C_7$ - $C_{20}$ -alkylaryl,

$R^8$ ,  $R^9$  are identical or different and are each a hydrogen atom, a halogen atom a linear or branched  $C_1$ - $C_{18}$ -alkyl group,  $C_2$ - $C_{10}$ -alkenyl,  $C_3$ - $C_{15}$ -alkylalkenyl, a  $C_6$ - $C_{18}$ -aryl group which may be substituted,  $C_5$ - $C_{18}$ -heteroaryl,  $C_7$ - $C_{20}$ -arylalkyl,  $C_7$ - $C_{20}$ -alkylaryl, fluorinated  $C_1$ - $C_{12}$ -alkyl, fluorinated  $C_6$ - $C_{18}$ -aryl, fluorinated  $C_7$ - $C_{20}$ -arylalkyl or fluorinated  $C_7$ - $C_{20}$ -alkylaryl, and two radicals  $R^8$  or  $R^9$  may form a monocyclic or polycyclic ring system which in turn may be substituted,

X is chlorine,

Y is oxygen or sulfur,

$l$ ,  $l'$  are identical or different and are each 1 or 2,

13.(original) A catalyst comprising at least one compound as claimed in claim 9 and a support and, optionally, a cocatalyst.

14.(original) A process for preparing a polyolefin which comprises polymerizing an olefinic monomer in the presence of a catalyst as claimed in claim 13.